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5 UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
6 AT SEATTLE

7 BETHEAL HABTE GEBREHAWARIAT,)
8 Plaintiff,) Case No. C18-0128 RSM
9 vs.) ORDER GRANTING PLAINTIFF'S
10 SEATTLE CITY LIGHT; TUAN TRAN;) COUNSEL OF RECORD MOTION TO
11 MELODY RETALLACK; and DOES I) WITHDRAW
12 THROUGH X, inclusive,)
13 Defendants.)

14 THIS MATTER comes before the Court on Plaintiff's Counsel of Record Motion to
15 Withdraw. Dkt. #13. Plaintiff's counsel, Darryl Parker, asserts that he must withdraw as he
16 believes any further representation would result in a violation of the Rules of Professional
17 Conduct. *Id.* Defendant Seattle City Light does not oppose the withdrawal of Mr. Parker as
18 counsel. Dkt. #14. Plaintiff opposes the motion, asserting that allowing the withdrawal would
19 "jeopardize [his] position on the case as well as [his] work situation." Dkt. #16. He also states
20 that he fears if his attorney withdraws it will have a negative effect on his employment. *Id.*

21 Pursuant to Local Civil Rule 83.2, "no attorney shall withdraw an appearance in any
22 case, civil or criminal, except by leave of court. Leave of court shall be obtained by filing a
23 motion or a stipulation and proposed order for withdrawal." LCR 83.2(b)(1). LCR 83.2 also

1 provides that attorneys “will ordinarily be permitted to withdraw until sixty days before the
2 discovery cutoff date in a civil case.” *Id.* The discovery deadline in this matter is not until
3 December 24, 2018. Dkt. #12.

4 In considering a motion to withdraw from representation, courts examine a variety of
5 factors, including: (1) the reasons why withdrawal is sought; (2) the prejudice withdrawal may
6 cause to other litigants; (3) the harm withdrawal might cause to the administration of justice;
7 and (4) the degree to which withdrawal will delay the resolution of the case. *Bohnert v. Burke*,
8 2010 U.S. Dist. LEXIS 145373, 2010 WL 5067695 (D. Ariz. 2010). Having applied these
9 factors to the instant matter, this Court concludes that Mr. Parker should be permitted to
10 withdraw.

11 First, the reason cited for withdrawal is serious – any further representation would
12 result in a violation of the Rules of Professional Conduct. Second, the prejudice to other
13 litigants appears minimal, given that the only appearing Defendant does not object to the
14 withdrawal. Dkt. #14. Third, the threat to the administration of justice also appears minimal
15 given that this case is in its infancy and Plaintiff can presumably seek other counsel. Regarding
16 Plaintiff’s *pro se* Objection to Mr. Parker’s Motion to Withdraw (Dkt. #16), the Court is unable
17 to consider the Objection given that Mr. Parker still served as counsel of record at the time the
18 Objection was filed by Plaintiff. *See* Local Civil Rule 83.2(b)(4). Fourth, this withdrawal does
19 not seem likely to delay the resolution of the case, given that the case is still in its infancy and
20 the majority of the pending deadlines are not until the end of this year. Dkt. #12. Finally, Mr.
21 Parker filed his Motion to Withdraw long before the discovery deadline; thus, he is in accord
22 with Local Civil Rule 83.2.

1 Accordingly, the Court hereby ORDERS:

- 2 1. Plaintiff's Counsel's Motion to Withdraw (Dkt. #13) is GRANTED and Mr. Parker
3 shall be terminated as counsel of record in this case.
- 4 2. Mr. Gebrehawariat is now proceeding *pro se* in this matter. He is advised that he
5 must be familiar with the Court's Local Civil Rules, which can be found online at
6 the Court's website. Mr. Gebrehawariat is also responsible for complying with the
7 Court's Orders and deadlines in this matter.
- 8 3. The Clerk shall send a copy of this Order on Mr. Gebrehawariat at:
- 9 BETHEAL GEBREHAWARIAT
10 1203 NE 135TH STREET
11 APT. 201
12 SEATTLE, WA 98125
- 13 4. Unless and until Mr. Gebrehawariat secures new counsel, all future filings in this
14 case must be served on him at the above address.

15 DATED this 16 day of April 2018.

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17 RICARDO S. MARTINEZ
18 CHIEF UNITED STATES DISTRICT JUDGE
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